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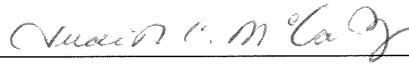
February 9, 2024

**Via ECF**

Hon. Judith C. McCarthy  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**SO ORDERED:**

Counsel for non-party John Lewin is directed to file a response to this letter by February 13, 2024. Plaintiffs are directed to serve a copy of this Memo Endorsement on counsel for Mr. Lewin immediately.

 2-9-2024  
JUDITH C. MCCARTHY  
United States Magistrate Judge


Re: *Bamonte, et al v. Charatan, as Nominated Executor*  
File No. 7:22-cv-795-KMK  
Request for Telephone Conference – Deposition Scheduling for John Lewin

Dear Judge McCarthy:

We write as counsel for the Plaintiffs to request the Court schedule a telephone conference to ordered a date for the deposition of John Lewin, the Deputy District Attorney for the Los Angeles County District Attorney's Office, who was lead counsel in the trial of Robert Durst for the witness killing first degree murder of Susan Berman. Mr. Lewin was served with a subpoena to appear at a deposition on December 14, 2023. Despite numerous attempts, we have been unable to secure a date when counsel for the parties and Mr. Lewin and his counsel are mutually available to take his deposition in California. As the March 1, 2024 discovery deadline is quickly approaching, we are requesting the Court schedule a telephone conference so counsel may be heard and at the conclusion issue an Order for the deposition to take place on a date certain.

Thank you.

Respectfully submitted,

  
Brian Thomas McCarthy

cc: All Counsel of Record (via ECF)

Robert Leiford, Esq.  
Counsel for John Lewin (Via Email - [rleiford@ccllp.law](mailto:rleiford@ccllp.law))